

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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D.H., N.H., K.H. f/k/a J.H., Natasha Martin, Tiffaney Grissom, Rosa Gonzalez, Adrienne Bankston, and Sarah Marchando, individually and on behalf of a class of all others similarly situated;

NOTICE OF MOTION

16 Civ. 7698 (PKC)(KNF)

Plaintiffs,

-against-

The City Of New York, Sean Kinane, Joseph Mckenna, Kayan Dawkins, Thomas Keane, Maria Imburgia, Kevin Maloney, Joel Allen, Dave Siev, Bryan Pocalyko, Christopher Savarese, Thomas Diggs, Joel Gomez, Keith Beddows, Christian Salazar, Henry Daverin, Joseph Nicosia, Kelly Quinn, Alexis Yanez, Michael Doyle, John/Jane Doe NYPD Police Officers #1-14,

Defendants.

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PLEASE TAKE NOTICE that upon the annexed Memorandum of Law dated March 3, 2017 and Declaration of Suzanna Publicker Mettham dated March 3, 2017, defendants City, Sean Kinane, Joseph McKenna, Kayan Dawkins, Thomas Keane, Maria Imburgia, Kevin Maloney, Joel Allen, Dave Siev, Bryan Pocalyko, Christopher Savarese, Thomas Diggs, Joel Gomez, Keith Beddows, Christian Salazar, Henry Daverin, Joseph Nicosia, Kelly Quinn, Alexis Yanez, Michael Doyle (collectively “defendants”) will move this Court, before the Honorable P. Kevin Castel, United States District Judge, at the United States District Court for the Southern District of New York, located at 500 Pearl Street, New York, New York, for an Order pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal Rules of Civil Procedure, granting judgment to defendants, and partially dismissing the Amended Complaint as against them with prejudice, together with such other relief as this Court deems just and proper

PLEASE TAKE FURTHER NOTICE that in accordance with the Court's Scheduling Order on January 17, 2017, papers in opposition, if any, are to be served upon the undersigned on or before April 7, 2017 and reply papers, if any, are to be served on or before April 21, 2017.

Dated: New York, New York
March 3, 2017

ZACHARY W. CARTER
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street, Room 3-212
New York, New York 10007
(212) 356-2356

By: _____


Suzanna Publicker Mettham
Senior Counsel
Special Federal Litigation Division

Docket No. 16 Civ. 7698 (PKC)(KNF)
UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK
<p>D.H., N.H., K.H. f/k/a J.H., Natasha Martin, Tiffaney Grissom, Rosa Gonzalez, Adrienne Bankston, and Sarah Marchando, individually and on behalf of a class of all others similarly situated;</p> <p style="text-align: right;">Plaintiffs,</p> <p style="text-align: center;">-against-</p> <p>The City Of New York, Sean Kinane, Joseph Mckenna, Kayan Dawkins, Thomas Keane, Maria Imburgia, Kevin Maloney, Joel Allen, Dave Siev, Bryan Pocalyko, Christopher Savarese, Thomas Diggs, Joel Gomez, Keith Beddows, Christian Salazar, Henry Daverin, Joseph Nicosia, Kelly Quinn, Alexis Yanez, Michael Doyle, John/Jane Doe NYPD Police Officers #1-14,</p> <p style="text-align: right;">Defendants.</p>
NOTICE OF MOTION
<p style="text-align: center;">ZACHARY W. CARTER <i>Corporation Counsel of the City of New York</i> <i>Attorney for Defendants</i> <i>100 Church Street, Room 3-212</i> <i>New York, New York 10007</i></p> <p style="text-align: center;"><i>Of Counsel: Suzanna Publicker Mettham</i> <i>Tel: (212) 356-2356</i></p>
<p><i>Due and timely service is hereby admitted.</i></p> <p><i>New York, N.Y....., 2017</i></p> <p><i>..... Esq.</i></p> <p><i>Attorney for.....</i></p>